

Changes in the Arkansas notary law passed by the 2005 Arkansas General Assembly became effective on January 1, 2006. The changes (Act 2274 of 2005) can be found in the Arkansas code, A.C.A 21-14-101 et. seq.

Some of the modifications were technical in nature and do not significantly affect the day-to-day activity of notaries. However, the changes outlined in this article will impact new notaries public as well as current notaries that are planning to renew their commissions.

The biggest changes include:

- 1) The issuance of a notary commission number
- 2) The requirement to keep your residential address up-to-date with the Secretary of State's office, and
- 3) The change in the oath or declaration taken by new notaries.

As mentioned above all of the following changes became effective January 1, 2006.

Commission Number

The Secretary of State's office will issue a commission number to all notaries. This number must appear on the notary public's official seal. The requirement to have the number on the notary seal **only applies to new and renewing notaries public** this year. As current commissions expire, all notaries will be issued a number when they renew their commission. Current notaries will not be required to add the number to their seal nor be required to purchase a new seal.

The commission number will allow the Secretary of State's office to more efficiently identify notaries and will allow the cancellation of a specially numbered seal if it is lost or stolen. In such cases a new commission number will be issued to replace the cancelled number.

Current notaries that wish to obtain their commission number prior to its expiration should contact our Business and Commercial Services (BCS) office. The commission number along with a new notary identification card will be mailed to them. The new commission numbers and identification cards should be available in March 2006.

Change of Address

Notaries public are now required to notify the BCS office of any change to their residential addresses. This notification should be made within 30 days of the change. Change of address forms can be obtained on the Secretary of State's website, www.sos.arkansas.gov or by calling 501-682-3409 or emailing the office at corporations@sos.arkansas.gov. If you are unsure of the address we have on file for you, please call or check the web site.

Notaries public should also notify their circuit clerk with address changes. If the address change includes a change in county, the notary's commission and bond will need to be transferred to the new county of residence.

Oath of Office

The wording for the oath or declaration that the notary must take when he or she receives the commission now appears in the Arkansas code, and contains the following statement, "...I have carefully read the notary laws of this state...." Copies of the notary law can be found on the Secretary of State's web site as well as in the new **Arkansas Notary Handbook**, available free of charge from the Secretary of State's office.

Other changes that are less likely to significantly impact notaries include:

- 1) The clarification of the effective date of a notary public's commission as the date the commission is issued by the Secretary of State's office, and
- 2) Changing the authority to approve the surety bond or contract from the circuit clerk to the secretary of state.

Notary Seminars

The Secretary of State's office, through the Business and Commercial Services Division, is currently offering free seminars to prospective and current notaries. Sessions are held every second Wednesday of the month in our offices at the Victory Building in Little Rock. Seminars can be scheduled for groups of 10 or more anywhere in the state. All seminar participants must contact our office for reservations. All seminars conducted by the office are free of charge.